

No.

9600226



# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Cebeco Zaden B. V.

Whereas, THERE HAS BEEN PRESENTED TO THE

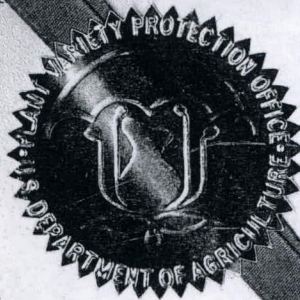
Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED, PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE FOREGOING PURPOSE, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. IN THE UNITED STATES SEED OF THIS VARIETY (1) SHALL BE SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED AND (2) SHALL CONFORM TO THE NUMBER OF GENERATIONS SPECIFIED BY THE OWNER OF THE RIGHTS. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

PEA, FIELD

'Swing'



In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this eighteenth day of September, in the year of our Lord two thousand.

Attest:

*Annie Marie Christy*

Commissioner  
Plant Variety Protection Office  
Agricultural Marketing Service

*[Signature]*  
Secretary of Agriculture



U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
SCIENCE AND TECHNOLOGY DIVISION - PLANT VARIETY PROTECTION OFFICE

## APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

(Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S) (as it is to appear on the Certificate) CEBECO ZADEN B.V.		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER CEBECO 1437		3. VARIETY NAME SWING	
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country) P.O.Box 10000 5250 GA Vlijmen - Holland		5. TELEPHONE (include area code) +31 73 51 88 555 <i>570 555</i>		FOR OFFICIAL USE ONLY PVPO NUMBER 9600226	
6. FAX (include area code) +31 73 51 88 666 <i>572 666</i>		FILING DATE Apr. 15, 1996		FILING DATE Apr. 15, 1996	
7. GENUS AND SPECIES NAME Pisum sativum L.		8. FAMILY NAME (Botanical) Leguminosae		FILING AND EXAMINATION FEE: \$ 2450.00	
9. CROP KIND NAME (Common name) Field pea		10. IF THE APPLICANT NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) (Common name)		DATE Apr. 15, 1996	
11. IF INCORPORATED, GIVE STATE OF INCORPORATION		12. DATE OF INCORPORATION		CERTIFICATION FEE: \$ 300	
13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS <i>RWS 10-2-98</i> <del>I.S.I. Ir. Bert Scholte</del> <del>POB 168 @ above address</del> <del>Halsey, Oregon 97348 - USA</del>		14. TELEPHONE (include area code) +1 541 369 2251		DATE 9/8/00	
15. FAX (include area code) +1 541 369 2640		16. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse)		17. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY, AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act)	
a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety		b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness		<input checked="" type="checkbox"/> YES (If "yes," answer items 18 and 19 below) <input type="checkbox"/> NO (If "no," go to item 20)	
c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of the Variety		d. <input checked="" type="checkbox"/> Exhibit D. Additional Description of the Variety (Optional)		18. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS?	
e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Applicant's Ownership		f. <input checked="" type="checkbox"/> Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties verification that tissue culture will be deposited and maintained in an approved public repository)		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
g. <input checked="" type="checkbox"/> Filing and Examination Fee (\$2,450), made payable to "Treasurer of the United States" (Mail to PVPO)		19. IF "YES" TO ITEM 18, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED?		<input checked="" type="checkbox"/> FOUNDATION <input checked="" type="checkbox"/> REGISTERED <input checked="" type="checkbox"/> CERTIFIED 1 gen. only	
20. HAS THE VARIETY OR A HYBRID PRODUCED FROM THE VARIETY BEEN RELEASED, USED, OFFERED FOR SALE, OR MARKETING IN THE U.S. OR OTHER COUNTRIES?		<input type="checkbox"/> YES (If "yes," give names of countries and dates) <input checked="" type="checkbox"/> NO		21. The applicant(s) declare that a viable sample of basic seed of the variety will be furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate.	
The undersigned applicant(s) is(are) the owner(s) of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.		Applicant(s) is(are) informed that false representation herein can bring prosecution and result in penalties.		The undersigned applicant(s) is(are) the owner(s) of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.	
SIGNATURE OF APPLICANT (Owner(s)) <i>[Signature]</i> CEBECO ZADEN B.V. Vlijmen, Holland		SIGNATURE OF APPLICANT (Owner(s))		NAME (Please print or type) Ir.B.Scholte	
CAPACITY OR TITLE Head Registration Dept.		DATE March 15, 1996		CAPACITY OR TITLE DATE	



EXHIBIT AOrigin and Breeding History of SWING (Pisum sativum L.)

SWING is derived from the crossing of the varieties:

Lu-Y x Solara in 1983

In 1985 a single plant was selected in the F<sub>3</sub>, followed by line selection and replicated yield trials.

The breeding process was carried out at our breeding station in Lelystad in the centre of the Netherlands. Our breeding station is situated on 150 ha reclaimed land on heavy clay soil and is equipped with all the necessary facilities, including lab facilities and greenhouses.

In the breeding of SWING our breeding goals were:

<u>Generation</u>	<u>Criteria for selection</u>
F <sub>4</sub> plant selection	straw stiffness plant length general impression
F <sub>5</sub> line selection	straw stiffness maturity disease resistance
F <sub>6</sub> yield trials	yield general impression seed size
F <sub>7</sub> yield trials and further	yield protein content

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**Exhibit A-bis, revised****Evidence of Uniformity and Stability of Swing ( Pisum sativum L.)**

Swing has been tested in official DUS-trials in the UK in the years 1993-1994. Based on the results from these trials the official authorities have concluded the following:

1. During the testing years no variants were observed, thus confirming the Uniformity of Swing.
2. Over the 2 years Swing has shown to be a Stable variety.





**Exhibit B- bis****Statement of Distinctness of of Swing ( Pisum sativum L.)**

Swing has been found Distinct from all other known varieties but is most similar to Montana. However Swing can be distinguished from Montana in the following characteristics:

	Swing	Montana
<b>Character</b>		
<b>Resistance to Myco-spaerella</b>		
1988	4.5	5.0
1991	4.5	6.5
<b>Protein content</b>		
1994	25.9	26.2
1995	24.9	24.3
1996	25.4	24.3
1997	26.2	25.8
<b>Resistance to Downy mildew</b>		
1991	5.0	3.0
1994	3.9	3.0
1996	3.0	2.0
1997	4.0	3.2
<b>Resistance to Botrytis</b>		
1988	4.5	3.0
1991	4.5	3.8





GRAIN DIVISION  
HYATTSVILLE, MARYLAND 20782

### OBJECTIVE DESCRIPTION OF VARIETY

**PEA (*PISUM SATIVUM*)**

NAME OF APPLICANT(S)

CEBECO ZADEN B.V.

ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code)

POB 10000

5250 GA Vlijmen - Holland

VARIETY NAME OR TEMPORARY DESIGNATION	
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100	100

SWING (CEBECO 1437)

**FOR OFFICIAL USE ONLY**

PVPO NUMBER 9600226

Place the appropriate number that describes the varietal character in the boxes below.

Place a zero in first box (e.g. 

0	8	9
---	---	---

 or 

0	9
---	---

) when number is either 99 or less or 9 or less.

**1. TYPE:**

2 1 = GARDEN 2 = FIELD 3 = EDIBLE-PODDED

**2. MATURITY:**

Node number of first bloom:         No. of days to processing          Heat Units

No. of days *Earlier* than       1 = ALASKA WR      2 = THOMAS LAXTON WR      3 = LITTLE MARVEL

No. of days *Later* than       4 = WANDO      5 = ALDERMAN WR      6 = AUSTRIAN WINTER

**3. PLANT HEIGHT:**

<div style="border: 1px solid black; padding: 2px;">0</div>	<div style="border: 1px solid black; padding: 2px;">9</div>	<div style="border: 1px solid black; padding: 2px;">0</div>	CM. HIGH . . . . .								
<div style="border: 1px solid black; padding: 2px;">0</div>	<div style="border: 1px solid black; padding: 2px;">0</div>	Cm. Shorter than . . . . .		<div style="border: 1px solid black; padding: 2px;">8</div>	} 1 = ALASKA WR	2 = THOMAS LAXTON WR	3 = LITTLE MARVEL				
<div style="border: 1px solid black; padding: 2px;">1</div>	<div style="border: 1px solid black; padding: 2px;">4</div>	Cm. Taller than . . . . .		<div style="border: 1px solid black; padding: 2px;">7</div>	} 4 = WANDO	5 = ALDERMAN WR	6 = AUSTRIAN WINTER		7 = Solara	8 = Carrera	

**4. VINE:**

2 Habit: 1 = DETERMINATE 2 = INDETERMINATE 2 Stockiness: 1 = SLIM (Alaska) 3 = HEAVY (Alderman)  
 2 = MEDIUM (Thomas Laxton WR)  
 3 Branching: 1 = NONE (Alaska) 2 - 1-2 BRANCHES (Little Marvel) 3 = MORE THAN 2 BRANCHES (Dwarf Gray Sugar)  
 2 Internodes: 1 = STRAIGHT 2 = ZIG ZAG 2 3 NUMBER OF NODES

5. LEAFLETS: NOT PRESENT

☐ Color: 1 = LIGHT GREEN (Alaska WR) 2 = MED. GREEN (Thomas Laxton WR) 3 = DARK GREEN (Alderman)  
4 = OTHER (Specify)

☐ Wax: 1 = NONE 2 = LIGHT 3 = MEDIUM 4 = HEAVY ☐ 1 = NOT MARBLED 2 = MARBLED (Alaska)

☐ Number of leaflet pairs: 1 = NOT PAIRED 2 = ONE 3 = TWO 4 = THREE OR MORE

**6. STIPULES:**

2	1 = LACKING      2 = PRESENT	2	1 = NOT CLASPING      2 = CLASPING
2	1 = NOT MARBLED      2 = MARBLED	*	Size (Compared with leaflets):      1 = SMALLER      2 = SAME 3 = LARGER
*	Color (Compared with leaflets):      1 = LIGHTER      2 = SAME      3 = DARKER	LEAFLETS NOT PRESENT	

**7. FLOWER COLOR:**

VENATION     STANDARD     WING     KEEL    
 }
 1 = WHITE    2 = GREENISH    3 = LAVENDER  
 4 = PURPLE    5 = RED  
 6 = OTHER (Specify) greenish-pink-yellowish

(creamy)



9600226

## 8. PODS:

Shape: 1 = STRAIGHT 2 = SLIGHTLY CURVED  End: 1 = POINTED (Alderman) 2 = BLUNT (Alaska)  
 Color: 1 = LIGHT GREEN (Alaska WR) 2 = MEDIUM GREEN 3 = DARK GREEN (Alderman)  
 4 = OTHER (Specify) \_\_\_\_\_  
 Surface: 1 = SMOOTH 2 = ROUGH  Surface: 1 = SHINY 2 = DULL  
 Borne: 1 = SINGLE 2 = DOUBLE 3 = SINGLE AND DOUBLE 4 = SINGLE, DOUBLE, & TRIPEE  
 5 = DOUBLE & TRIPLE 6 = TRIPLE 7 = OTHER (Specify) \_\_\_\_\_  
  mm LENGTH   MM. WIDTH (Between sutures)   NO. SEEDS PER POD

## 9. SEEDS (95-100 Tenderometer):

Color: 1 = LIGHT GREEN 2 = GREEN 3 = DARK GREEN 4 = OTHER (Specify) \_\_\_\_\_  
 Seive: %         AVERAGE

## SEEDS (Dry, Mature):

Shape: 1 = FLATTENED 2 = ANGULAR 3 = OVAL 4 = ROUNDED  
 Surface: 1 = SMOOTH 2 = DIMPLED  Surface: 1 = SHINY 2 = DULL  
 3 = WRINKLED  
 Color Pattern: 1 = MONOCOLOR 2 = MOTTLED 3 = STRIPED 4 = DOTTED  
 Primary Color: { 1 = CREAMY-WHITE 2 = CREAM & GREEN 3 = LIGHT GREEN 4 = MEDIUM GREEN  
 5 = DARK GREEN 6 = BLUE-GREEN 7 = YELLOW 8 = BROWN 9 = RED  
 Secondary Color: { 10 = GRAY 11 = BLACK  
 Hilum Floor Color: 1 = WHITE 2 = TAN  Cotyledon Color: 1 = GREEN 2 = YELLOW 3 = ORANGE  
  GRAMS PER 100 SEEDS

## 10. DISEASE: (0 = Not Tested; 1 = Susceptible; 2 = Resistant)

FUSARIUM WILT race 1  NEAR-WILT  DOWNY MILDEW  
 ASCOCHYTA BLIGHT race C  POWDERY MILDEW  BACTERIAL BLIGHT  
 MOSAIC  PEA ENATION MOSAIC  YELLOW BEAN MOSAIC  
 OTHER (Specify) \_\_\_\_\_

## 11. INSECT: (0 = Not Tested; 1 = Susceptible; 2 = Resistant)

APHIDS  OTHER (Specify) \_\_\_\_\_

## 12. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED

CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
Leafiness		Fresh Seed Color	
Leaf Color		Mature Seed Color	
Pod Color		Seed Shape	
Pod Shape		Plant Habit	

## COMMENTS:

Resembles to Eiffel but Eiffel is not resistant to Fusarium wilt race 1 and Eiffel has a higher 100 seeds weight.



## APPENDIX

### OBJECTIVE DESCRIPTION OF VARIETY

#### PEA (*Pisum sativum*)

### LEAFLET CHARACTERISTICS:

**2** Leaflet Type: 1=Leafless 2=Semi 3=Normal

### STIPULE CHARACTERISTICS:

2 Color: 1=Light-Green 2=Medium-Green 3=Dark-Green 4=Blue-Green 5=Yellow-Green 6=Other \_\_\_\_\_

Please provide example varieties of similar specified color or check varieties and stipule color.

Variety Name	Stipule Color
MONTANA	2

Variety Name	Stipule Color

Variety Name	Stipule Color

**2** **Size:** 1=Small 2=Medium 3=Large

Please provide example varieties of similar specified size or check varieties and stipule size.

Variety Name	Stipule Size
MONTANA	2

Variety Name	Stipule Size

Variety Name	Stipule Size

**OTHER CHARACTERISTICS:** Describe other characteristics that may aid in identification.



EXHIBIT D
Additional Description of SWING, field pea

<u>Characteristic:</u>	<u>SWING</u>	<u>MONTANA</u>	<u>SOLARA</u>
Plantheight:			
- mean (cm)	98	- 15.8	- 22.0
- range	93-103		
- standard deviation	5.97		
Stipule length:			
- mean (cm)	7.37	+ 0.23	+ 0.25
- range	6.8-8.1		
- standard deviation	0.91		
Stipule width:			
- mean (cm)	3.52	+ 0.4	+ 0.53
- range	3.1-3.8		
- standard deviation	0.62		

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9600226

Reference of test authority: AFP	Breeder's reference: Cebeco 1437
Application number: 84/283	Applicant: Cebeco Zaden B V Postbus 10000 5250 GA VLIJMEN The Netherlands

## UPOV VARIETY DESCRIPTION

Botanical name of taxon: <i>Pisum sativum</i> (L).	Testing authority: Cambridge CB3 OLF, UK.
Common name of taxon: PEA	Testing place: SASA, East Craigs, Edinburgh EH12 8NJ, UK.
Variety denomination: SWING	Period of testing: 1993, 1994
UPOV Test Guidelines: Doc. No: TG/7/4 Date: 1981/10/26	Date of issue of this document: December 1994
National Test Guidelines: Doc. No: Date:	

A. Group: (If characteristics of Chapter B are used for grouping, they are marked with a G in that Chapter).

B. Characteristics included in the UPOV Test Guidelines or National Test Guidelines.

UPOV No.	Nat. No.	Characteristics	States of expression	Note	Remarks
* 01		Dry Seed : shape of starch grains	simple	1	G
* 02		Dry Seed : colour of cotyledons	yellow	2	G
03		Stem : fasciation	absent	1	



UPOV No.	Nat. No.	Characteristics	States of expression	Note	Remarks
* 37		Pod : colour	green	2	G
		Pod : blue-green colour	absent	1	G
38		Pod : green colour	pale	3	
* 39		Pod : curvature	slight	3	
* 40		Pod : direction of curvature	to ventral	1	G
* 41		Pod : apex	blunt	2	G
* 43		Immature seed : number of ovules		8.3	
* 44		Immature seed : colour	pale green	3	G
* 45		Dry seed : weight of 100 seeds (g)		26.2g	
46		Dry seed : shape	round	1	to aspherical(4)
* 47		Dry seed : surface	smooth	1	
* 49		Dry seed : colour of testa	colorless	1	
* 50		Dry seed : testa pattern	not patterned	1	G
51		Dry seed : hilum colour	not black	9	G
* 53		Time of full flowering (50% of the plants)	medium early	4	+15.0 days after Orfac
57		Disease : Resistance to Race 1 of Pea Wilt	present	9	

COMMENTS : Swing resembles Jet but differs in that Swing has smaller stipules and a lower 100 seed weight.

Similar variety		SWING	JET
Character			
15	Stipule: size	medium small (4)	medium large (6)
45	Dry seed: weight of 100 seeds	medium small (4)	medium (5)

C. R. Thomson  
6-12-94



Plant Breeders' Rights

Grant No: 5840



9600226

## PLANT VARIETY RIGHTS OFFICE

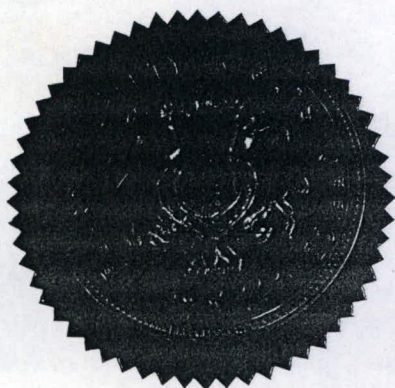
### Grant of Plant Breeders' Rights

**Cebeco Zaden B.V.**  
**Vijfhoevenlaan 4**  
**PO Box 10000**  
**5250 GA**  
**Vlijmen**  
**The Netherlands**

(hereinafter referred to as "the Applicant") having made application for a grant of Plant Breeders' Rights in respect of the following plant variety, that is to say, the variety of **Field Pea** known as

### SWING

being a variety of the species or group prescribed by the **Plant Breeders' Rights (Vegetables) (including Field Beans and Field Peas) Scheme 1980** the Controller of Plant Variety Rights, being satisfied that the conditions laid down in section 2 of the Plant Varieties and Seeds Act 1964 have been fulfilled as respect the Applicant and the aforesaid plant variety, Hereby Grants to the Applicant **PLANT BREEDERS' RIGHTS** in respect of the aforesaid plant variety to be exercised and enjoyed by him subject to and with the benefit of the provisions of the said Plant Varieties and Seeds Act 1964 for a period of twenty years from the date of the sealing of this Grant.



**IN WITNESS** whereof the Controller of Plant Variety Rights has hereunto caused the seal of the Plant Variety Rights Office to be affixed this nineteenth day of December 1994.

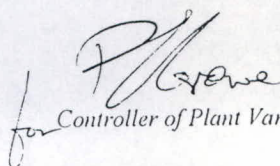
  
for Controller of Plant Variety Rights



EXHIBIT E

Statement of the Basis of Applicant's Ownership

The undersigned:

CEBECO ZADEN B.V.  
P.O.Box 10000,  
5250 GA Vlijmen  
The Netherlands

declare, that they are the owners of the new variety SWING field pea.

They also declare, that they authorize:

INTERNATIONAL SEEDS INC.,  
P.O.Box 168,  
Halsey, Oregon 97348  
U.S.A.

to submit for and on behalf of them an application for Plant Variety  
Protection Certificate in the U.S.A. for the variety SWING field pea,

to prepare, sign and submit the documents necessary for that purpose  
and,

to make all attendances upon the Plant Variety Protection Board relating to  
the application for Plant Variety Protection Certificate for their variety  
SWING.

Vlijmen, March 14, 1996

  
**CEBECO**  
**ZADEN B.V.**  
Vlijmen, Holland  
Ir. B. Scholte



U.S. DEPARTMENT OF AGRICULTURE  
 AGRICULTURAL MARKETING SERVICE  
 SCIENCE AND TECHNOLOGY DIVISION - PLANT VARIETY PROTECTION OFFICE

**EXHIBIT E**  
**STATEMENT OF THE BASIS OF OWNERSHIP**

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S) CEBECO ZADEN B.V. P.O.Box 10000, 5250 GA VLIJMEN - HOLLAND		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER  CEBECO 1437	3. VARIETY NAME  SWING
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country)  I.S.I. POB 168 Halsey, Oregon 97348- USA		5. TELEPHONE (include area code)  +31 73 51 88555	6. FAX (include area code)  +31 73 51 88 666
		7. PVPO NUMBER  9600226	
8. Does the applicant own all rights to the variety? Mark an "X" in appropriate block. If no, please explain. <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
9. Is the applicant (individual or company) a U.S. national or U.S. based company? If no, give name of country <u>The Netherlands</u> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
10. Is the applicant the original breeder? If no, please answer the following: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
a. If original rights to variety were owned by individual(s): Is (are) the original breeder(s) a U.S. national(s)? If no, give name of country _____			
b. If original rights to variety were owned by a company: Is the original breeder(s) U.S. based company? If no, give name of country <u>The Netherlands</u>			
11. Additional explanation on ownership (If needed, use reverse for extra space):			

**PLEASE NOTE:**

Plant variety protection can be afforded only to owners (not licensees) who meet one of the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original breeder, both the original breeder and the applicant must meet one of the above criteria.

The original breeder may be the individual or company who directed final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definition.

Public reporting burden for this collection of information is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, AG Box 7630, Jamie L. Whitten Building, Washington, D.C. 20250. When replying, refer to OMB No. 0581-0055 and form number in your letter.

Under the PRA of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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